

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	Criminal No. 20-10177-DJC-MPK
	)	
AMIN KHOURY,	)	
	)	
Defendant	)	

**FINAL STATUS REPORT**

Pursuant to Local Rule 116.5(c), the United States and defendant state as follows:

**(1) Whether the defendant requests transfer of the case for a Rule 11 hearing**

The defendant does not request transfer of the case for a Rule 11 hearing at this time.

**(2) Whether, alternately, the parties move for a pretrial conference before the district court**

The parties agree that no further time in the magistrate session is necessary and move for a pretrial conference before the district court.

**(A) Status of discovery**

The government has no current plans to produce additional discovery materials beyond those pretrial disclosures called for under Local Rule 116.1(b)(2), to the extent those materials have not already been produced.

**(B) Discovery requests and motions**

There have been no discovery requests or motions between the government and defendant. Defendant has moved *ex parte* concerning discovery from third parties and believes that there may be litigation in connection with those requests.

**(C) Rule 12(b) motions**

The defendant filed a motion to dismiss Count 1 on March 5, 2021. The government filed its opposition on April 5, 2021. The defendant filed a reply brief on April 19, 2021. A hearing is scheduled for May 20, 2021.

**(D) Excludable delay**

No non-excludable delays have elapsed, and 70 days remain on the Speedy Trial clock. *See* Dkts. 17, 23, 30. The parties request that the time between May 6, 2021 and the initial pretrial conference be excluded under § 3161(h)(1)(D), while defendant's motion to dismiss Count 1 is pending, and under 18 U.S.C. § 3161(h)(7)(A), so that the defendant may have adequate time to review discovery, confer with counsel, and prepare for trial. The ends of justice served by this exclusion outweigh the interests of the public and defendant in a speedy trial.

**(E) Estimated number of trial days**

If the case were to go to trial, the government estimates that its case in chief would not exceed one week.

**(3) Other matters particular to the case**

There are no other matters particular to the case that the parties believe would assist the district judge upon transfer of the case from the magistrate.

Respectfully submitted,

NATHANIEL R. MENDELL  
Acting United States Attorney

By: /s/ Kristen A. Kearney  
JUSTIN D. O'CONNELL  
KRISTEN A. KEARNEY  
LESLIE A. WRIGHT  
Assistant U.S. Attorneys

Date: April 29, 2021

Respectfully submitted,

AMIN KHOURY

By: /s/ Eóin P. Beirne  
Eóin P. Beirne  
Mintz, Levin, Cohn, Ferris, Glovsky &  
Popeo, P.C.  
One Financial Center  
Boston, MA 02111  
Tel.: 617-348-1707  
Fax: 617-542-2241  
[epbeirne@mintz.com](mailto:epbeirne@mintz.com)

### **CERTIFICATE OF SERVICE**

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

Dated: April 29, 2021

/s/ Kristen A. Kearney  
Kristen A. Kearney